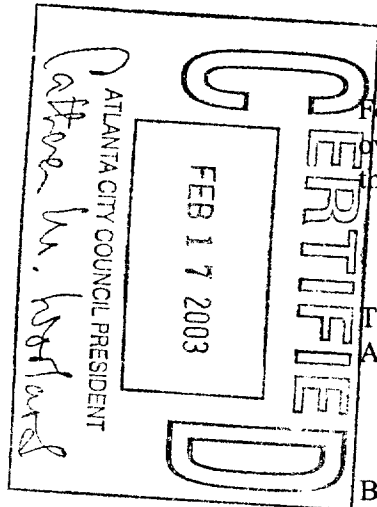


Entered - 09-11-02 - sb
CL 02L0652 - GWENDOLYN BURNS

CLAIM OF: STEVEN DELONGA
75 14th Street, Suite 3250
Atlanta, Georgia 30309

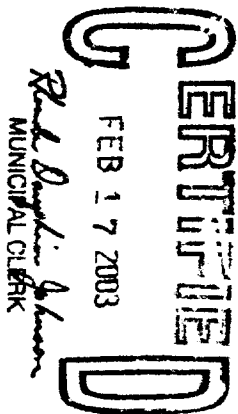
03- R -0168



For vehicular damages alleged to have been sustained from driving over a metal plate that was improperly covering a construction site in the roadway on May 15, 2002 at 1117 W. Peachtree Street, NW.

THIS ADVERSED REPORT IS
APPROVED

BY: Rosalind Rubens Newell
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY



ADVERSED
CITY COUNCIL FEB 17 2003

ADVERSE REPORT

COMV Public Safety
DATE 2-11-03
CHAIR [Signature]
C. F. M...
[Signature]
[Signature]
H. L. Hall



OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK

55 TRINITY AVENUE, S.W.
SECOND FLOOR, EAST
SUITE 2700
ATLANTA, GEORGIA 30335
(404) 330-6033
FAX (404) 658-6103

February 18, 2003

Steven Delonga
75 14th Street
Suite 3250
Atlanta, GA 30309

03-R-0168

Dear Mr. Delonga:

I sincerely regret that you have been adversely affected by the circumstances raised in your claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your claim at its regular meeting on February 17, 2003. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the **City Attorney's Office/Claims Division** at (404) 330-6400.

Yours very truly,

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 02L0652

Date: January 30, 2003

Claimant /Victim STEVEN DELONGA
BY: (Atty) (Ins. Co.) _____
Address: 75 14th Street, Suite 3250, Atlanta, Georgia 30309
Subrogation: _____ Claim for Property damage \$ 389.25 Bodily Injury \$ _____
Date of Notice: 9/4/02 Method: Written, Proper X Improper _____
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 5/15/02 Place: 1117 W. Peachtree Street, NW
Department _____ Division _____
Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: Claimant alleges that his vehicle sustained damage when he drove over a construction site that was improperly covered in the roadway. An investigation determined that a subcontractor of Atlanta Gas Light Company was responsible for the road defect. The claimant has been so advised and his claim is currently being resolved by Atlanta Gas Light Company.

INVESTIGATION:

Statements: City employee _____ Claimant _____ Others X Written _____ Oral X
Pictures _____ Diagrams _____ Reports: Police _____ Dept Report X Other _____
Traffic citations issued: City Driver _____ Claimant Driver _____
Citation disposition: City Driver _____ Claimant Driver _____

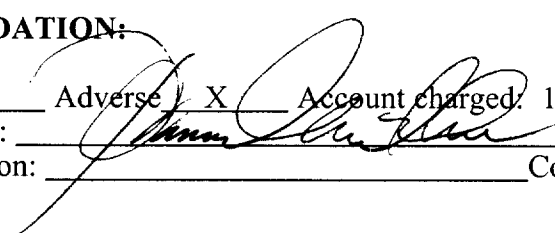
BASIS OF RECOMMENDATION:

Function: Governmental _____ Ministerial _____
Improper Notice _____ More than Six Months _____ Other X Damages reasonable _____
City not involved X Offer rejected _____ Compromise settlement _____
Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____
Claimant Negligent _____ City Negligent _____ Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ _____ Adverse X Account charged: 1A01 _____ 2J01 _____ 2P01 _____ 2H01 _____
Claims Manager:  Concur/date 01-31-03
Committee Action: _____ Council Action _____

RCS# 4470
2/17/03
2:22 PM

Atlanta City Council

Regular Session

CONSENT I

Pgs. 1-11: Except 03-R-0224

ADOPT

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 0

| | | | |
|-----------|-------------|-----------|------------|
| Y Smith | Y Archibong | Y Moore | Y Mitchell |
| Y Starnes | Y Fauver | NV Martin | Y Norwood |
| Y Young | Y Shook | Y Maddox | Y Willis |
| Y Winslow | Y Muller | Y Boazman | NV Woolard |

CONSENT I

| 2/17/03 FULL COUNCIL MEETING | | |
|--|---------------|---|
| Items Adopted on the Consent Agenda | | Items Adversed on the Consent Agenda |
| 1. 02-O-0037 | 37. 03-R-0161 | 39. 03-R-0137 |
| 2. 03-O-0127 | 38. 03-R-0162 | 40. 03-R-0138 |
| 3. 03-O-0185 | | 41. 03-R-0139 |
| 4. 03-O-0187 | | 42. 03-R-0163 |
| 5. 03-O-0085 | | 43. 03-R-0164 |
| 6. 03-O-0125 | | 44. 03-R-0165 |
| 7. 03-R-0143 | | 45. 03-R-0166 |
| 8. 03-R-0144 | | 46. 03-R-0167 |
| 9. 03-R-0189 | | 47. 03-R-0168 |
| 10. 03-R-0210 | | 48. 03-R-0169 |
| 11. 03-R-0211 | | 49. 03-R-0170 |
| 12. 03-R-0212 | | 50. 03-R-0171 |
| 13. 03-R-0213 | | 51. 03-R-0172 |
| 14. 03-R-0145 | | 52. 03-R-0173 |
| 15. 03-R-0146 | | 53. 03-R-0174 |
| 16. 03-R-0149 | | 54. 03-R-0175 |
| 17. 03-R-0150 | | 55. 03-R-0176 |
| 18. 03-R-0151 | | 56. 03-R-0177 |
| 19. 03-R-0152 | | 57. 03-R-0178 |
| 20. 03-R-0153 | | 58. 03-R-0179 |
| 21. 03-R-0160 | | 59. 03-R-0180 |
| 22. 03-R-0207 | | 60. 03-R-0181 |
| 23. 03-R-0208 | | 61. 03-R-0201 |
| 24. 03-R-0209 | | |
| 25. 03-R-0141 | | |
| 26. 03-R-0142 | | |
| 27. 03-R-0140 | | |
| 28. 03-R-0128 | | |
| 29. 03-R-0129 | | |
| 30. 03-R-0130 | | |
| 31. 03-R-0131 | | |
| 32. 03-R-0132 | | |
| 33. 03-R-0133 | | |
| 34. 03-R-0134 | | |
| 35. 03-R-0135 | | |
| 36. 03-R-0136 | | |

Consent I Vote: 14Yeas; 0 Nays: (See RCS #4470)
Item Removed from the Consent Agenda: 03-R-0224